

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Beazer Homes Corp.,)	C.A. NO. 4:10-cv-02419-RBH
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Discover Property & Casualty Insurance)	
Company and Selective Insurance)	
Company of South Carolina,)	
)	
Defendants.)	
_____)	

The Court, having been advised by counsel for the parties that all claims and counterclaims (however those claims are designated in this action) between Plaintiff, Beazer Homes Corporation, and Defendant, Selective Insurance Company of South Carolina, have been settled, **HEREBY ORDERS** that this action is hereby dismissed without costs and without prejudice as to the claims between those parties only. The action shall proceed as to the claims pending between the plaintiff and defendant Discover Property and Casualty Insurance Company.

If settlement is not consummated within a reasonable time, either party may within sixty (60) days petition the Court to reopen the action and restore it to the calendar, Rule 60(b)(6) of the Federal Rules of Civil Procedure. In the alternative, to the extent permitted by law, either party may within sixty (60) days petition the court to enforce the settlement. *Fairfax Countywide Citizens v. Fairfax County*, 571 F.2d 1299 (4th Cir. 1978).

The dismissal of the claims hereunder shall be *with prejudice* if no action is taken under either alternative within sixty (60) days from the filing date of this Order.

IT IS SO ORDERED.

s/ R. Bryan Harwell

HONORABLE R. BRYAN HARWELL
UNITED STATES DISTRICT JUDGE

Florence, S.C.
July 29, 2013